UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

TERRANCE JOE QUINLAN,

Plaintiff,

V.

CITY OF SEATTLE; and UNKNOWN SEATTLE POLICE DEPARTMENT OFFICERS,

Defendants.

C22-0445 TSZ

ORDER

THIS MATTER comes before the Court on the Report and Recommendation ("R&R") of the Honorable Theresa L. Fricke, United States Magistrate Judge, docket no. 8, to which plaintiff filed objections on September 14, 2022, <u>see</u> docket no. 11, and in response to which plaintiff has filed a proposed amended complaint, docket no. 14. As previously indicated, the Court does not agree with the R&R that the only party sued by plaintiff is the City of Seattle, <u>see</u> Order (docket no. 10), and plaintiff's proposed amended complaint contains a potentially cognizable claim against unknown Seattle Police Department officers pursuant to 42 U.S.C. § 1983 and the Fourteenth Amendment of the United States Constitution. The Court therefore ORDERS as follows:

1	(1) The Court DECLINES to adopt the R&R and REFERS this matter back to
2	Magistrate Judge Fricke, pursuant to Federal Rule of Civil Procedure 72, for further
3	consideration of the application to proceed in forma pauperis and, pursuant to 28 U.S.C
4	§ 636(b)(1)(B) and Local Rule MJR 4, for further proceedings; and
5	(2) The Clerk is DIRECTED to send a copy of this Order to all counsel of
6	record, to plaintiff pro se, and to Magistrate Judge Fricke.
7	IT IS SO ORDERED.
8	Dated this 19th day of October, 2022.
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11	Thomas S. Zilly United States District Judge
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